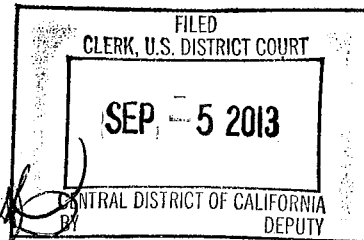


NOTE CHANGES MADE BY THE COURT.



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

IN RE FREMONT GENERAL  
CORPORATION LITIGATION

CASE No. CV07-02693 JHN(FFMx)

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
APPROVAL OF ALLOCATION AND  
DISTRIBUTION OF RESIDUAL  
SETTLEMENT FUNDS**

This *Action* involves claims for alleged violations of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §§ 1001, *et seq.* ("ERISA"),<sup>1</sup> with respect to the Fremont General Corporation and Affiliated Companies Investment Incentive Plan, as amended through March 19, 2007, and the Fremont General Corporation Employee Stock Ownership Plan, effective January 1, 2000.

Before the Court is *Class Counsel's* Motion for Approval of Allocation and Distribution of Residual Settlement Funds. While the Court granted final approval

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<sup>1</sup> Terms capitalized and italicized in this order shall have the meaning ascribed to them in the Stipulation and Agreement of Settlement – ERISA Class Action, (Doc. 255-1).

1 of the *Settlement* on August 10, 2011, the Court retained jurisdiction over  
2 implementing the *Settlement* and distributing and disposition of the *Settlement*  
3 *Fund*. See *Final Order and Judgment* (Doc. 286) at ¶ 17

4 The Court having considered all papers filed and all related proceedings, *no opposition,* *there being*  
5 *K* hereby finds and orders as follows:

6 1. On June 1, 2012, in accordance with the Court's *Final Order and*  
7 *Judgment*, the *Settlement Administrator* completed the initial distribution of the *Net*  
8 *Settlement Fund* to *Class Members*;

9 2. Pursuant to the *Plan of Allocation* and the Court's *Final Order and*  
10 *Judgment*, the Final Dollar Recoveries that could not be distributed because the  
11 identity or location of the *Class Member* or his or her beneficiary could not be  
12 determined after reasonable efforts, and those Final Dollar Recoveries that  
13 remained unclaimed after one year, were forfeited and returned to the *Settlement*  
14 *Fund*;

15 3. As of this date, the *Settlement Fund* includes a balance of forfeited  
16 funds of \$499,559.27;

17 4. *Class Counsel's* Motion For Approval and Distribution of Residual  
18 Settlement Funds is GRANTED;

19 5. Those *Class Members* whose Final Dollar Recoveries were forfeited  
20 because they did not claim their payments under the first distribution, or because  
21 the payments were undeliverable after reasonable efforts, shall not recover under  
22 the residual distribution;

23 6. Administration costs of approximately \$22,570.78 shall be paid first  
24 from the portion of the residual funds that would otherwise be allocated to *Class*  
25 *Members* described in ¶ 5 of this Order;

7. After deducting any remaining administration costs, the residual funds shall be paid to Qualifying Class Members<sup>2</sup> based on their initial pro rata share of the *Net Settlement Fund* under the first distribution;

8. A “De Minimis Amount” shall be set at \$11.62, which is twice the estimated average individual administrative cost; and

9. All funds, including any unclaimed or undeliverable funds, remaining in *Settlement Fund* six (6) months after the date of the residual distribution shall be forfeited and, within sixty (60) days of the forfeiture date, escheat to the United States Treasury.

SO ORDERED this 4<sup>th</sup> day of Sept., 2013.

United States District ~~Court~~ Judge

<sup>2</sup> “Qualifying Class Members” means *Class Members* eligible for the first distribution, excluding those who did not claim the first distribution, or to whom the first distribution was undeliverable.